

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

UNITED STATES OF AMERICA

v.

JASMINE CELESTE AYALA,

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CRIMINAL NO. 5:20-CR-433-01

FACTUAL STATEMENT IN SUPPORT OF PLEA AGREEMENT

The United States of America, by and through Ryan K. Patrick, United States Attorney for the Southern District of Texas and Michael Makens, Assistant United States Attorney, and the defendant, **JASMINE CELESTE AYALA** and the defendant's counsel, hereby stipulate as follows:

I.

If this case proceeded to trial, the United States of America would prove each element of the offense beyond a reasonable doubt. The following facts, among others, would be offered to establish the Defendant's guilt:

II.

On January 13, 2020, United States Border Patrol Agents were working roving patrol duties on Highway 59 and Farm to Market Road 2050 west of the Border Patrol Checkpoint located on Highway 59 near Freer, Texas. At approximately 11:00 p.m., a sensor activated on the Moos Ranch, roughly one mile west of the checkpoint on Highway 59. The activation showed a silhouette of a sports utility vehicle with the headlights off. Agents responded to the area and discovered a cut lock on a gate to the Moos Ranch off of Highway 59, and found another gate left wide open about a mile south of Highway 59. The Agents saw fresh tire tracks exiting the property and heading south on FM 2050.

At approximately 11:25 p.m., Hebbronville agents stopped a black Chevrolet Tahoe travelling south on FM 2050 in Webb County. Jasmine Celeste Ayala (Defendant 1) was driving the Tahoe and told agents she was not from the area but was looking for a ranch belonging to her long lost uncle. Agents could see several people lying on top of the folded seats in the second and thirds rows of the Tahoe, and an immigration inspection revealed all seven people in the back of the Tahoe were undocumented aliens (UDAs). Ayala and the front seat passenger, Ashley Ruiz (Defendant 2), were both U.S. Citizens and were placed under arrest.

After being advised of her *Miranda* rights, Ayala agreed to speak to Agents without an attorney present. She admitted making arrangements with an unknown man at a party on January 11, 2020 to be paid to transport people. On January 13, 2020 she traveled with Ruiz from San Antonio, Texas to Laredo, Texas. Once in Laredo, she was instructed over the phone to park at a Wendy's restaurant where the UDAs boarded her vehicle. Ayala stated she fully realized what she was doing. When she got into the vehicle, there were people laying down in it, and she understood they were UDAs. She was following instructions over the phone on where to take the UDAs until being stopped by Border Patrol.

After being advised of her *Miranda* rights, Ruiz agreed to speak to Agents without an attorney present. She stated she was hanging out with her friends when another friend told them about a deal. Ayala asked Ruiz if she would go for a ride out of town and then comeback, and Ruiz agreed. Ruiz stated the Defendant told her she would "hook her up" for going with her on the trip. When Agents asked Ruiz if this meant she would receive monetary compensation she stated it did. Ruiz stated after making it to Laredo they parked at a Wendy's restaurant and went inside for roughly 30 to 45 minutes. When they returned to the vehicle there were six to seven more people in the vehicle. Ruiz stated she assumed the individuals were UDAs.

Agents reviewed jail calls that Ruiz placed on January 16, 2020 revealing that Ruiz called a female later identified as Laura Barrientos asking Barrientos to delete Facebook messages and information off of Ruiz's phone. Ruiz tells Barrientos that a man named "Chapa" got in contact with the individual who set up the smuggling event to ask what happened to Ruiz when she went on the trip. Ruiz also tells the Barrientos that she deleted information on her phone and that's why Barrientos lost the location of Ruiz's phone. A subsequent search of Ruiz's phone revealed she was in contact with Barrientos during the time of the smuggling event and that Barrientos was monitoring Ruiz's location.

Agents interviewed two material witnesses, Jatzeel Antonio Cuevas-Cortes and Mercy Rocio Duchi-Vargas. Cuevas-Cortes admitted to being a citizen and national of Mexico, and to making arrangements to be smuggled into the United States for a fee of \$8,000 USD. After crossing into the U.S., he was transported from a stash house to a restaurant and instructed to get in a black Tahoe. Once in the Tahoe, the female driver instructed him to get down. Cuevas-Cortes positively identified Jasmine Ayala as the driver of the black Tahoe. Duchi-Vargas admitted to being a citizen and national of Ecuador, and to making arrangements to be smuggled into the United States for a fee of \$17,000 USD. After crossing into the U.S., she spent five days at an abandoned house taken to an unknown location where a black four-door vehicle picked her up. She stated the driver of the black vehicle told her and the other UDAs that she was going to help them.

III.

Defendant, **JASMINE CELESTE AYALA**, hereby confesses and judicially admits that on **January 13, 2020**, she knowingly **conspired to transport an undocumented alien within the United States**, in violation of **Title 8, United States Code, Sections 1324 (a)(1)(A)(ii) and (v)(I)**.

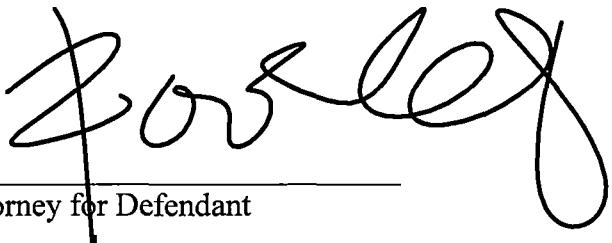
John H. Ayala
JASMINE CELESTE AYALA
Defendant

APPROVED:

RYAN K. PATRICK
UNITED STATES ATTORNEY

By:


Assistant United States Attorney
Southern District of Texas


Attorney for Defendant